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TRANSMITTAL			Filing Date		10/658,581	
			First Named Inventor		09/09/2003	
FORM			Art Unit		James Dennis Hagan	
				36	3641	
(to be used for all correspondence after initial filing)			Examiner Name	Tr	oy Chambers	
Total Number of Pages in This Submission			Attorney Docket Number	84	566	
ENCLOSURES (Check all that apply)						
X Fee Trans	mittal Form		Drawing(s)		After Allowance Communication to TC	
☐ Fe	e Attached		Licensing-related Papers		Appeal Communication to Board of Appeals and Interferences	
	Amendment/Reply		Petition Petition to Convert to a		Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) Proprietary Information	
After Final			Provisional Application Power of Attorney, Revocati		Status Letter	
Affidavits/declaration(s)			Change of Correspondence	Address	Other Enclosure(s) (please Identify	
Extension of Time Request			Terminal Disclaimer		Comments on Statement	
Express Abandonment Request			Request for Refund	•	of Reasons for	
Information Disclosure Statement		CD, Number of CD(s) Allowance				
		Landscape Table on CD				
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Reply to Missing Parts/ Incomplete Application						
Reply to Missing Parts under 37 CFR 1.52 or 1.53						
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT						
Firm Name NAVAL SURFACE WARFARE CENTER DAHLGREN DIVISION						
Signature A Ch						
Printed name	SCOTT R.	BOAL	ICK			
Date	April 15,	200:	5	Reg. No.	42,337	
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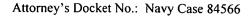
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James Dennis Hagan

Art Unit

3641

Serial No.: 10/658,581

Examiner

Troy Chambers

Filed

: September 9, 2003

Title

: PRESSURE-RELEASED BRAKE ASSEMBLY FOR RESTRAINING

PROJECTILE IN LAUNCH TUBE

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COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE

In response to the Notice of Allowance of January 18, 2005, Applicant submits the following comments on the statement of reasons for allowance.

The Examiner's statement of reasons for allowance stated that independent claims 1, 9 and 17 "require a means for positioning the pin" and that, "[i]n accordance with 35 U.S.C. 112(6), the means for positioning in claims 1, 9, and 17 are defined by claims 6, 14 and 21, respectively." It is true that claims 6, 14, and 21 depend from independent claims 1, 9, and 17 respectively. But it is improper to import limitations of dependent claims 6, 14, and 21 into independent claims 1, 9, and 17. Instead, the limitations of independent claims 1, 9, and 17 are to be interpreted under proper claim construction jurisprudence.

If the Examiner has any questions, he is invited to contact the undersigned attorney at the telephone number listed below.

Respectfully submitted,

Spril 15, 2005

Scott R. Boalick

Reg. No. 42,337

Department of the Navy Naval Surface Warfare Center Dahlgren Division Office of Counsel 17320 Dahlgren Road Dahlgren, VA 22448-5100 540-653-8061